

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA  
Plaintiff,

-vs-

Case No. 19-20772  
Hon. Terrence G. Berg

MATTHEW MERCER-KINSER  
Defendant

\_\_\_\_\_.

**EX PARTE MOTION TO AUTHORIZE PAYMENT  
OF INFORMATION TECHNOLOGY EXPERT**

Defendant, MATTHEW MERCER-KINSER, by and through his attorney, KIMBERLY W. STOUT, respectfully moves this Honorable Court to grant this Motion to Authorize Payment of Information Technology Expert / Discovery Coordinator / Litigation Support Specialist, for the following reasons:

1. That the Defendant is indigent and has a court appointed attorney.
2. That the Defendant has been charged in the Indictment with: ACTIVITIES RE MATERIAL CONSTITUTING/CONTAINING CHILD PORNOGRAPHY. That as a result of the extensive social media, business records, cell phone and electronic device extractions and records and other discovery provided by the government, the technical assistance of an information technology consultant is necessary to organize, scan, index, database, research and convert all electronic documents into specific electronic case files, and assist counsel in reviewing, interpreting and understanding

the social media, and other electronic evidence materials, and resolving any issues with same.

3. Further, if this matter proceeds to trial, demonstrative exhibit /exhibit assistance will be necessary for counsel.
4. That this motion is being made ex parte in order to place this indigent Defendant in the same position as a defendant who had funds to pay for counsel and a private investigator. A monied defendant would be able to hire an information technology consultant without notice to the government and without the government ever being aware of the use of those services, unless defense counsel chose to reveal it. It is for this reason, equal protection, that the federal Criminal Justice Act, 18 USC 3006A(e) provides that such motions in indigent federal criminal cases be made ex parte.
5. That because of the budgetary nature of this ex parte motion, defense counsel has not sought the concurrence of the government as provided by the Local Court Rules.

WHEREFORE, Defendant respectfully requests that this Court grant his motion and authorize payment for an information technology expert / discovery coordinator / litigation support specialist in the amount of \$2,700.00.

Submitted by:

/s/Kimberly W. Stout (P38588)  
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Dated: July 11, 2022

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Defendant

\_\_\_\_\_.

**CERTIFICATE OF SERVICE**

I hereby certify that on July 11, 2000, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all parties of record.

Respectfully Submitted:

/s/Kimberly W. Stout (P38588)  
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